

SC

**FILED**

**JAN 31 2014**

**Phil Lombardi, Clerk  
U.S. DISTRICT COURT**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

1) PINNACLE PACKAGING COMPANY, )  
INC., an Oklahoma corporation, )  
2) POLO ROAD LEASING, LLC, an Okla- )  
homa limited liability company, and )  
3) J. SCOTT DICKMAN, )

Plaintiffs, )

vs. )

Case No. 12-CV-537-JED-TLW

4) ONE EQUITY PARTNERS LLC, a )  
Delaware limited liability company, and )  
5) CONSTANTIA FLEXIBLES GmbH, an )  
Austrian corporation, )

Defendants. )

**DECLARATION OF SCOTT DICKMAN**

J. Scott Dickman declares the following:

1. My name is J. Scott Dickman. I am over the age of twenty-one years, of sound mind, and fully competent to testify to the matters set forth herein. I have personal knowledge of the statements contained herein, and they are true and correct.

2. In my previous affidavit, subscribed and sworn to me on September 13, 2013, and filed on the same day [DKT 57-1], there is a typographical error in paragraph 28, line 7 in that the word "not" should be inserted between the word "would" and "be" such that the entire sentence should read: "These facts in addition to the fact Constantia has since made another acquisition in the United States suggests and leads me to believe it would **not** be difficult or inconvenient for Constantia and OEP to litigate this dispute in Oklahoma."

Under penalty of perjury, I make this Declaration.

  
\_\_\_\_\_  
J. Scott Dickman

s/Laurence L. Pinkerton

\_\_\_\_\_  
Laurence L. Pinkerton, OBA #7168

J. David Jorgenson, OBA #4839

Pinkerton & Finn, P.C.

Penthouse Suite

15 East 5th Street

Tulsa, OK 74103-4303

Tele: 918-587-1800

Fax: 918-582-2900

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on January 31, 2014, I electronically transmitted the foregoing pleading, to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

John D. Russell, Esq.  
FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS  
321 S. Boston Ave., Suite 800  
Tulsa, Oklahoma 74103-3318

Gabrielle Gould, Esq.  
Cheryl Howard, Esq.  
FRESHFIELDS BRUCKHAUS DERINGER US LLP  
601 Lexington Ave., 31st Floor  
New York, NY 10022

/s/ Laurence L. Pinkerton